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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of

Amendment of Section 73.202(b),  
Table of Allotments, FM Broadcast  
Stations (Madisonville, Texas).

RM- \_\_\_\_\_

DOCKET FILE COPY ORIGINAL

PETITION FOR RULE MAKING

Leon Hunt, d/b/a Hunt Broadcasting (Hunt), by and through counsel and pursuant to Section 1.401 of the Commission's Rules (47 C.F.R. §1.401), hereby respectfully requests that the Commission issue at an early date a Notice of Proposed Rule Making looking toward the allocation of FM Channel 272A, 102.3 MHz, to Madisonville, Texas, as that community's second FM allocation. As good cause therefor, Hunt states as follows:

1. Madisonville, Texas, and incorporated city, is the county seat of Madison County, Texas. It had a 1990 census population of 3,569 persons, which has remained relatively steady since 1960. The county population is 10,931, up from 10,649 in 1980, and 7,693 in 1970. Madisonville has a Council/Manager form of government, and is located at U.S. Highway 190 and State Highway 21, and is within three miles of the nearest interstate exchange, at Interstate Route 45. Madisonville is served by the Burlington and Northern Railroad, and by Madisonville Municipal Airport.

2. Madisonville has its own city water system and city utilities. There is a city retail sales tax, and an independent school district, which employs 200 employees. It has one public and

one private elementary school, one junior high school, and one high school; six tennis courts; 25 churches; six permanent and 25 visiting physicians, and four dentists. Other businesses in Madisonville include the chamber of commerce, a weekly newspaper, a cable television company, accountants, automobile dealers, hospitals and nursing homes, electric, gas and water companies, attorneys and accountants, antique dealers, furniture stores, hardware and lumber stores, five banks, grocery stores, doctors and dentists and druggists, farming and feed stores, a fire department and emergency medical services department, funeral homes, county and city government offices, insurance agencies, hotels, realtors, and restaurants.

3. Local media of mass communications in Madisonville include one AM daytime-only broadcast station, KMVL, 1220 kHz, licensed to Hunt Broadcasting, and one FM station, KAAG, on Channel 241C-2, 96.1 MHz. The allocation of Channel 272A will constitute the second fulltime aural transmission service to Madisonville, and the second FM transmission service.

4. As can be seen from the attached engineering study prepared by John R. Furr, communications consultant to Hunt, Channel 272A can be allotted to Madisonville consistent with all channel spacing/separation requirements for co-channel and adjacent channel allotments and existing services. The reference coordinates provide a site which would serve all of Madisonville with the required 70 dBu signal contour. The site is not within the area subject to U.S./Mexican coordination, or U.S./Canadian coordination. Mr. Furr

calculates that the population served within the 60 dBu contour will be 16,309 persons, within 2,516 square kilometers.

5. Upon the allocation of FM Channel 272A to Madisonville, Hunt will immediately prepare and, at the appropriate time established by the Commission for filing applications for the channel, Hunt will file an application for a construction permit to operate on that channel at Madisonville, Texas. Hunt is fully qualified to do so and will establish his qualifications in the application.

Therefore, the foregoing considered, Leon Hunt, d/b/a Hunt Broadcasting, hereby respectfully requests that the Commission issue, at the earliest opportunity, a Notice of Proposed Rule Making, proposing to allot Channel 272A to Madisonville, Texas as that community's second FM channel allotment, as follows:

City	Channel Number	
	Present	Proposed
Madisonville, Texas	241C2	241C2, 272A

There is no regulatory flexibility impact from the proposed allotment. See, Certification that Sections 603 and 604 of the Regulatory Flexibility Act Do Not Apply To Rule Making To Amend Sections 73.202(b)...of the Commission's Rules, 46 Fed. Reg. 11549, February 9, 1981. It is submitted that the public interest will be served by the additional allotment to Madisonville, as it will provide an additional voice to the community, and, because it would provide an opportunity for FM ownership by an AM daytime licensee, is consistent with the Commission's policy thereon. See, FM

Broadcast Assignments, 101 FCC 2d 638, 645-47 (1985), recon.  
granted in part, 59 RR 2d 1221 (1986), aff'd sub nom. National  
Black Media Coalition v. FCC, 822 F.2d 277 (2d Cir. 1987).

Respectfully submitted,

Leon Hunt, d/b/a Hunt Broadcasting

By: \_\_\_\_\_

  
Christopher D. Imlay  
His Counsel

Booth, Freret and Imlay  
1233-20th Street, N.W.  
Suite 204  
Washington, D.C. 20554  
(202) 296-9100

December 23, 1994

## ALLOCATION STATEMENT

This statement is prepared on behalf of KMVL in Madisonville, Texas. This is a petition for Rulemaking which requests an amendment of the Table of FM Channel Allotments, Section 73.202(b) of the FCC Rules. The request is to add Channel 272-A. This statement discusses the technical factors involved in the above change.

1. The reference coordinates for this Madisonville, Texas proposal are:

Latitude 31°02'24" North, Longitude 95°54'41" West

This location is 10 km north of the reference coordinates of Madisonville, Texas, which are 30°56'50" North, 95°54'41" West.

2. As can be seen from the attached Exhibit A, Class A operation from this site will comply with all separation requirements as set forth in §73.207 of the FCC Rules.

3. From these reference coordinates, the entire city of Madisonville will be served with the 70 dBu contour as required by §73.315(a) and (b) as shown in Exhibit B.

4. The site proposed herein is 506 km to the nearest point of the US-Mexican border, 1664 km to the nearest point of the US-Canadian border, and therefore beyond the 320 km required distance for foreign coordination.

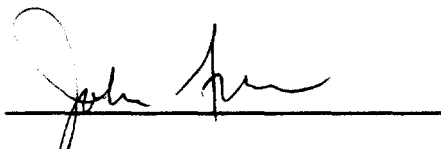
5. The population served will be 16,309 persons in 7,469 households within the 60 dBu (1 mV/m) contour having an area of 2,516 square kilometers.

6. Madisonville is the county seat of Madison County which has 10,931 persons. There is licensed to Madisonville one daytime AM station, KMVL, 1220 kHz (0.5 kW day, 0.011 kW night) and one FM station, KAAG, channel 241-C2. KMVL seeks to add full nighttime service to KMVL(AM) through this new FM assignment.

I, John R. Furr, am a Communications Consultant, and represent KMVL. My qualifications are a matter of record with the Federal Communications Commission, and all statements made herein are true and correct to the best of my knowledge and belief.

December 17, 1994

210-599-6511



John R. Furr  
2700 NE Loop 410, Suite 325  
San Antonio, TX 78217

12-16-1994

John Furr &amp; Associates Inc.

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FM Study for: KMVL	FCC Database Date: 10/94	31-02-24
Location: MADISONVILLE, TX	Channel Class: A	95-54-41
Call City, State	Chan Class Freq kW Latitude Dist.	Required
Status Proponent	File Number HAAT Longitude Azm.	Clear (km)

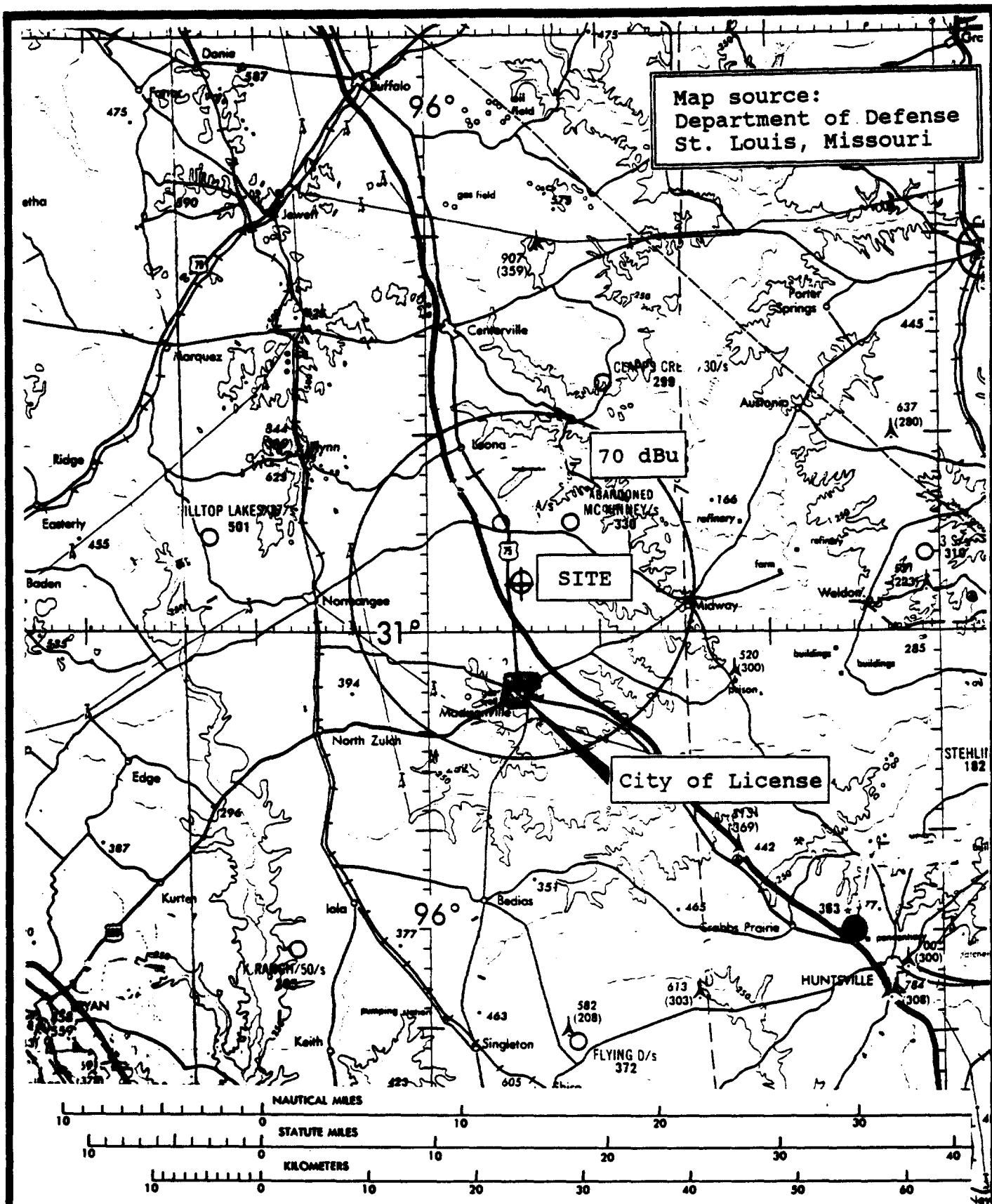
&gt;&gt;&gt;&gt;&gt;&gt;&gt; Study For Channel 272 102.3 mHz &lt;&lt;&lt;&lt;&lt;&lt;&lt;&lt;

KMJQ	HOUSTON, TX	271 C	102.1	100.	29-34-27	167.4	165	
LIC	NOBLE BROADCAST OF HO	BLH-831017AC	524		95-29-37	166.0	+2.4	CLOSE
KSIZ	JACKSONVILLE, TX	272 A	102.3	3.0	32-01-52	124.3	115	
LIC	ROBERT WARREN SHIVERY	BLH-930920KH	100		95-17-56	27.7	+9.3	CLOSE
KLTR	FRANKLIN, TX	270 C3	101.9	25.0	30-56-04	51.6	42	
CP	FRANKLIN COMMUNITY BR	BMPH-920807IA	100		96-26-15	257.0	+9.6	CLOSE
KBRQ	HILLSBORO, TX	273 C1	102.5	100.	31-49-29	147.1	133	
LIC	MORAN BROADCASTING CO	BLH-840326AS	137		97-09-33	306.6	+14.1	CLOSE
KSAMFM	HUNTSVILLE, TX	269 A	101.7	3.7	30-41-48	51.3	31	
LIC	WALKER COUNTY COMMUNI	BMLH-900807KC	128		95-33-08	137.8	+20.3	CLEAR
KTXQ	FORT WORTH-DALLAS, TX	271 C	102.1	95.	32-34-54	198.4	165	
LIC	CBS, INC.	BLH-910508KB	441		96-58-32	329.8	+33.4	CLEAR
KPEZ	AUSTIN, TX	272 C2	102.3	20.0	30-13-24	204.8	166	
LIC	CLEAR CHANNEL COMMUNI	BLH-900424KE	209		97-49-39	244.3	+38.8	CLEAR

**JF&A**  
COMMUNICATIONS  
CONSULTANTS

ALLOCATION STUDY

KMVL  
MADISONVILLE, TX  
EXHIBIT A



Map source:  
Department of Defense  
St. Louis, Missouri

70 dBu

## SITE

City of License

NAUTICAL MILES

**STATUTE MILES****KILOMETERS**

**JF&A**  
COMMUNICATIONS  
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# CITY LIMITS STUDY

KMVL  
MADISONVILLE, TX  
EXHIBIT B